

Community Renewable Energy Agency Board

Meeting Agenda

Public Notice is hereby given that the Community Renewable Energy Agency Board will assemble in a public meeting on January 9, 2023, at the Millcreek City Hall located at 3330 South 1300 East Millcreek UT, commencing at 1:00 p.m. The Board will convene in an electronic meeting. Board members may participate from remote locations. Board members will be connected to the electronic meeting by GoToMeeting, Zoom or telephonic communications. The anchor location will be Millcreek City Hall. Members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means at <https://global.gotomeeting.com/join/890138285>.

REGULAR MEETING of the Board:

1. Welcome, Introduction and Preliminary Matters

- 1.1 Purpose and overview of meeting
- 1.2 Current participation percentages included in Board packet

2. Business Matters

- 2.1 Approval of December 5, 2022 Board Meeting Minutes
- 2.2 Treasurer Report (year-to-date contributions and expenses)
- 2.3 Reports from committees (Communications, Low-Income Plan, Program Design)
- 2.4 Public Comments

Audience members may bring any item to the Board's attention. Comments are subject to the Public Comment Policy and Procedure set forth below.

- 2.5 Discussion and consideration of Resolution 23-01 Resolution of the Board Approving Model Ordinance Language
- 2.6 Discussion and consideration of Resolution 23-02 Resolution of the Board Approving Climate Pollution Reduction Grant Comments
- 2.7 Discussion and consideration of special Board meetings on February 27, 2023 and March 27, 2023 commencing at 1pm at Millcreek City Hall for review, discussion, and consideration of Program Application elements
- 2.8 Board member comments
- 2.9 Closed Session (if needed): the Board may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205

3. Adjournment

In accordance with the Americans with Disabilities Act, the Board will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting Kurt Hansen, 801-214-2751, at least 48 hours in advance of the meeting.

Public Comment Policy and Procedure: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Board may be asked to complete a written comment form and present it to the Millcreek City Recorder. In general, the Chair will allow an individual two minutes to address the Board. At the conclusion of the citizen comment time, the Chair may direct staff or Board members to assist the citizen on the issue presented; direct the citizen to the proper entity; or take no action. This policy also applies to all public hearings. Citizens may also submit written

requests (outlining their issue) for an item to be considered at a future council meeting. The Chair may place the item on the agenda under citizen comments; direct staff or Board members to assist the citizen; direct the citizen to the entity; or take no action.

THE UNDERSIGNED HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

Millcreek City Hall

Utah Public Notice Website
<http://pmn.utah.gov>

DATE: 1/5/23

Emily Quinton

Alex Wendt

Note agenda items may be moved in order, sequence, and time to meet the needs of the Board.

This meeting will be live streamed via <https://millcreek.us/373/Meeting-Live-Stream>.

Participation Percentages

								Weighted Votes Occuring After July 31, 2022						
								Aggregate Total of Actual Phase 1 Initial, Phase 1 Anchor, and Phase 2 Initial Payments	Phase 2 Anchor Proportionate Shares, based on Max Anchor Payments	Phase 2 Remaining Balance Distributed Proportionally Among Anchors (Phase 2 Anchor Payment)	Total Phase 1 and 2 Payment Obligations as of Meeting Date Above	Participation Percentage for Weighted Votes After July 31 2022	Yes vote on Resolution XX-XX Weighted Vote?	Total Yes Percentage on Resolution XX-XX
1	7/1/2021		Grand County	2,109.37	3,110.81	2,109.37	3,110.81	\$ 6,364.78	1.49%	\$ 1,692.07	\$ 8,056.85	1.15%		0.00%
2	10/1/2021		Salt Lake County	11,570.26		11,570.26		\$ 23,140.52	0.00%	\$ -	\$ 23,140.52	3.31%		0.00%
3	7/1/2021		Summit County	10,759.97	15,868.33	10,759.97	15,868.33	\$ 32,466.94	7.61%	\$ 8,631.28	\$ 41,098.22	5.87%		0.00%
4	7/1/2021		Town of Alta	218.93		218.93		\$ 437.86	0.00%	\$ -	\$ 437.86	0.06%		0.00%
5			Bluffdale City	11,088.57		11,088.57		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
6	7/1/2021		Town of Castle Valley	106.74	157.42	106.74	157.42	\$ 322.08	0.08%	\$ 85.63	\$ 407.71	0.06%		0.00%
7	4/28/2022		Coalville City	562.99		562.99		\$ 1,125.98	0.00%	\$ -	\$ 1,125.98	0.16%		0.00%
8	7/1/2021		Cottonwood Heights	10,942.10		10,942.10		\$ 21,884.20	0.00%	\$ -	\$ 21,884.20	3.13%		0.00%
9	6/13/2022		Emigration Canyon Township	456.22		456.22		\$ 912.44	0.00%	\$ -	\$ 912.44	0.13%		0.00%
10	8/3/2021		Francis City	421.54		421.54		\$ 843.08	0.00%	\$ -	\$ 843.08	0.12%		0.00%
11	7/1/2021		City of Holladay	9,387.72		9,387.72		\$ 18,775.44	0.00%	\$ -	\$ 18,775.44	2.68%		0.00%
12			Kamas City	743.49		743.49		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
13	7/13/2021		Kearns	9,606.01		9,606.01		\$ 19,212.02	0.00%	\$ -	\$ 19,212.02	2.74%		0.00%
14	7/1/2021		Moab City	2,237.95	3,300.43	2,237.95	3,300.43	\$ 6,752.75	1.58%	\$ 1,795.21	\$ 8,547.96	1.22%		0.00%
15	7/1/2021		Millcreek	18,421.40	27,167.05	18,421.40	27,167.05	\$ 55,584.39	13.03%	\$ 14,777.00	\$ 70,361.39	10.05%		0.00%
16	4/28/2022		Oakley City	520		520		\$ 1,040.00	0.00%	\$ -	\$ 1,040.00	0.15%		0.00%
17	7/28/2021		Ogden City	35,737.26		35,737.26		\$ 71,474.52	0.00%	\$ -	\$ 71,474.52	10.21%		0.00%
18			City of Orem	31,019.52		31,019.52		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
19	7/13/2021		Park City	6,742.38	9,943.35	6,742.38	9,943.35	\$ 20,344.33	4.77%	\$ 5,408.50	\$ 25,752.83	3.68%		0.00%
20	7/1/2021		Salt Lake City	101,050.33	149,024.48	101,050.33	149,024.48	\$ 304,907.42	71.45%	\$ 81,059.05	\$ 385,966.47	55.14%		0.00%
21	7/1/2021		Town of Springdale	481.26		481.26		\$ 962.52	0.00%	\$ -	\$ 962.52	0.14%		0.00%
22			West Jordan City	37,916.77		37,916.77		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
23			West Valley City	47,899.22		47,899.22		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%
	7/1/2021			350,000.00	208,571.87	350,000.00	208,571.87	586,551.27	100.00%	113,448.73	\$ 700,000.00	100%		0.00%

Community Renewable Energy Agency Board Meeting Minutes

The Community Renewable Energy Agency Board met in a regular public meeting on **Monday, December 5, 2022**, at Millcreek City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106 and participated electronically via GoToMeeting.

PRESENT:

Board Members

In person

Dan Dugan, Chair, *Salt Lake City*
Glenn Wright, *Summit County*
Drew Quinn, *Holladay City*
Emily Quinton, *Summit County*
Jeff Silvestrini, *Millcreek*
Christopher Thomas, *Salt Lake City*

Electronic

Randy Aton, *Springdale*
Roger Bourke, *Alta*
Suzanne Elger, *Springdale*
Holly Smith, *Holladay City*
Sarah Stock, *Grand County*
Pamela Gibson, *Castle Valley*
Chris Cawley, *Alta*
Luke Cartin, *Park City*
Kalen Jones, *Moab*
Angela Choberka, *Ogden*
Ann Granato, *Salt Lake County*
Samantha DeSeelhorst, *Cottonwood Heights*
Jeremy Rubell, *Park City*
Patrick Schaeffer, *Kearns Metro Township*
David Brems, *Emigration Canyon Township*
Alexi Lamm, *Moab*
Elissa Martin, *Grand County*
Mara Brown, *Ogden*

In Person Attendees: Kurt Hansen, *Millcreek*; Alex Wendt, *Millcreek*

Electronic Attendees: Bob Davis, *Division of Public Utilities*; Phillip Russell, *Attorney*; Jeremy Shinoda, *Ogden resident*; Taylor Hill, *Salt Lake City Staff*; Artie Powell, *Division of Public Utilities*; Monica O'Malley, *Salt Lake City Staff*; Janene Eller-Smith, *Ogden Staff*; Sara Montoya, *Salt Lake City staff*; Gordon Bennett, *Alta staff*; Dina Blaes, *Salt Lake County staff*; Joan Entwistle, *Summit County resident*; Ian Harris, *Cottonwood Heights staff*

Minutes by Alex Wendt, Millcreek Deputy Recorder.

REGULAR MEETING – 1:00 p.m.

TIME COMMENCED: 1:00 p.m.

1. Welcome, Introduction, and Preliminary Matters

1.1 Purpose and Overview of Meeting

1.2 Current Participation Percentages included in Board Packet

1.3 Reminder that January Board Meeting will be held on January 9, 2023.

1.4 Reminder to work with Secretary Emily Quinton on any changes in Board Member appointments

2. Business Matters

2.1 Approval of November 7, 2022, Board Meeting Minutes

Board Member Wright moved to approve the November 7, 2022, Board Meeting Minutes. Board Member Quinn seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

2.2 Treasurer Report (Year-to-Date Contributions and Expenses)

Board Member Silvestrini gave the report. The Board will be receiving some county contributions at the beginning of next year and has received the Park City payment.

2.3 Reports From Committees (Communications, Program Design, Low-Income Plan)

Board Member Cawley gave the update. They focused on finalizing their request for proposals (RFP). They planned to collaborate the Program Design Committee to draft the opt-out letter for inclusion in the program application. Also, in November they met with staff from the Oregon Public Utilities Commission to discuss potential similar efforts in Oregon. In the November meeting the Board passed the Resolution 22-10 authorizing the Communication Committee to solicit consultant proposals. The RFP was posted on 11/17. Millcreek City is acting as the procurement contact. The RFP will close on Friday, December 9th. When the public service commission gives their decision the Communications Committee will submit a press release. Next steps include December meetings, developing and distributing the email newsletter. Then the Committee will review consultant responses to the RFP. Board Member Aton asked how the newsletter will go out to the public. Board Member Cawley said they would email the newsletter to people who have signed up to receive the Board Newsletters. The newsletter should also be sent out by participating communities. Board Member Silvestrini said that Millcreek would be putting more information about the Energy Board in the weekly newsletter.

Board Member Thomas gave the Program Design update. The Program Design Committee met twice in November. They held a second update meeting with the Utah Division of Public Utilities and Office of Consumer services. They have created a small coordination group on November 8th. Rocky Mountain Power says it is targeting March 2023 for filing the Program Application with the Utah Public Service Commission on behalf of the Utah 100 Communities. Previously, the communities had hoped to have the Program Application filed by December 2022. Barring any major Board Member

concerns the timeline on the website will soon be updated.

A community legal boundary may contain areas over which the community does not have jurisdictional authority. Thank you to Springdale and Castle Valley for alerting us to this issue. Ms. O'Malley from Salt Lake City is working with available data sources to develop maps that show each community's legal boundary and jurisdictional area. They have discovered that some community plat maps do not match the GIS map maintained by the state of Utah. In these cases, the Board is urging communities to submit their map to the state GIS group so the state can make updates. The Draft Model Ordinance language has been sent to Board Members. Mr. Russell, outside counsel, is going to talk about the changes to the ordinance. Please expect a board vote to approve the draft model ordinance on January 9th. The Inflation Reduction Act passed by US Congress represents a historic investment in clean energy. One funding opportunity is called the Climate Pollution Reduction Grant, administered by the EPA. There is \$250 million available in planning grants and \$4.75 billion in implementation grants. The Utah 100 Communities could request funding to support a financial backstop for program resources. Next steps include more frequent communication among the small coordination group. The Program Design Committee is planning for a third update meeting with state agencies in January or February. Plan for a vote to approve the draft model ordinance language at the January 9th Board Meeting. Plan for a vote to approve this soon.

Board Member Quinton gave the Low-Income Plan update. HB 411 outlines rules that there must be a low-income plan. Low-Income Plan Templates were sent to each community in October. Communities have been asked to work on their respective Low-Income Plan and finalize a draft by the end of December 2022. This could be extended to March 2023 to align with when the Board expects to Program Application to be submitted to Rocky Mountain Power. To finish your community Low-Income Plan; section 1 programmatic Strategies will be updated for you by the Low-Income Committee based on the outcome of the Board Vote on each strategy. No other work on this section is needed. Section 2, Outreach Strategies; this section was prepopulated with outreach strategies and organizations serving target populations in your community. Leave as is or edit it. Section 3 Elective Strategies; the strategy in this section is completely up to each community. Keep, remove, expand on the examples provided.

Board Members are asked to consider four programmatic strategies by the Low-Income Committee. Three strategies are unanimously recommended by the committee. These are the enhanced monthly bill credit, termination fee waiver, and request to facilitate elective donations. One strategy that did not receive unanimous committee support, but still up consideration is automatic opt-out. Households receiving monthly bill assistance or behind on bills by 60 days or more would not be enrolled and would need to affirmatively opt themselves into the program. If adopted, each resolution is framed to accomplish the following. The programmatic strategy will be listed on each community's plan for low-income assistance (except the elective donations). The Program Design Committee is directed to endeavor to incorporate the programmatic strategy into all necessary program design matters, documents, and agreements.

Board Member Silvestrini asked if voting on these resolutions is binding. Board Member

Quinton said that voting to approve these resolutions adds them to the Program Application. The only way Rocky Mountain Power said they could implement these strategies is if everyone does them. Board Member DeSeelhorst said the Low-Income Plan Committee gave their recommendation unanimously on the first three programmatic strategies but the Board will vote and is not bound to the Committee recommendation.

2.4 Public Comments

There were no public comments.

2.5 Attorney Update on Draft Model Ordinance

Mr. Russell, outside Counsel, gave the update and presented the ordinance at the last Board Meeting. He did receive changes to add to the draft. The ordinance is organized in two parts. The preamble discusses why the community is adopting the ordinance. Part two is a description of the Program as anticipated to be adopted by the Commission. Changes were made to part 2 to reflect what has happened. This ordinance as drafted describes things that have happened and need to happen in the future. The ordinance will be backward looking. Section 7.2 talks about the obligation of the communities to pay for 3rd party expertise. This is required and has already happened. The communities are re-adopting this obligation, but it does not mean they have to pay more money. The changes are made to clearly reflect where things stand. Board Member Wright asked if communities make changes, who do they make the changes with? Mr. Russell said the state law requires this draft ordinance to be submitted. If a community wants to make a change that is not substantive, they probably don't need to get approval but this should be discussed with Mr. Russell.

2.6 Discussion and Consideration of Resolution 22-11, Resolution of the Board Approving Enhanced Monthly Bill Credit as a Programmatic Approach to Low-Income Assistance.

Board Member Thomas gave an overview on item 2.6, Resolution 22-11. This supports an enhanced monthly bill credit as a programmatic approach to low-income assistance. The enhanced monthly bill credit would give participating customers an additional monthly bill credit in the amount of a rate impact not to exceed \$7. This will be funded by a monthly surcharge and shall not exceed \$0.70 per month. If it is adopted by the Board all communities plan for low-income assistance will be updated with this approach. If the Board adopts this the Program Design Committee will be directed to add this to all necessary, program design matters. Board Member Wright asked how Rocky Mountain Power will accomplish the billing arithmetic. Board Member Thomas said Rocky Mountain power has indicated their current billing software will accomplish this. Board Member Quinn presented this to her City Council, they were concerned about the cost of this. Were the numbers chosen with reference to real Rocky Mountain Power customers or were they pulled out of the air. Board Member Thomas said the \$7 cap reflects a calculation to estimate the monthly residential bill impact before getting to the point where a bill increase would cause a super majority vote, this is explained in the governance agreement. What is the monthly residential bill impact we might see before a super majority vote is needed. The answer was \$7 per month more. The \$0.70 surcharge reflects discussions with RMP. Board Member DeSeelhorst said, the resolution is worded to not exceed \$7 but if the rate impact is less than the monthly bill credit will be less.

Board Member Wright moved to approve Resolution 22-11, Resolution of the Board Approving Enhanced Monthly Bill Credit as a Programmatic Approach to Low-Income Assistance. Board Member DeSeelhorst seconded the motion. Board Member Dugan asked for the roll call vote. Alta voted yes, Castle Valley voted yes, Coalville did not vote and was not present, Cottonwood Heights voted yes, Emigration Canyon Township voted yes, Francis did not vote and was not present, Grand County Unincorporated voted yes, Holladay voted yes, Kearns voted yes, Moab voted yes, Millcreek voted yes, Oakley did not vote and was not present, Ogden voted yes, Park City voted yes, Salt Lake County Unincorporated voted yes, Springdale voted yes, Summit County Unincorporated voted yes, Salt Lake City voted yes. The motion passed. 15-0.

2.7 Discussion and Consideration of Resolution 22-12, Resolution of the Board Approving Termination Fee Waiver as a Programmatic Approach to Low-Income Assistance.

Board Member Thomas said this resolution supports a termination fee waiver. This would be a Program wide approach. For participating customers this would waive their termination fee if they are on bill assistance currently with RMP. Board Member Dugan asked how do notices go out to customers? Board Member Thomas said all customers will receive 2 mailed notices. These will be sent 60 days before the Program begins.

Board Member Wright made the motion to approve Resolution 22-12, Resolution of the Board Approving Termination Fee Waivers as a Programmatic Approach to Low-Income Assistance. Board Member Quinn seconded the motion. Board Member Dugan asked for the roll call vote. Alta voted yes, Castle Valley voted yes, Coalville did not vote and was not present, Cottonwood Heights voted yes, Emigration Canyon Township voted yes, Francis did not vote and was not present, Grand County Unincorporated voted yes, Holladay voted yes, Kearns voted yes, Moab voted yes, Millcreek voted yes, Oakley did not vote and was not present, Ogden voted yes, Park City voted yes, Salt Lake County Unincorporated voted yes, Springdale voted yes, Summit County Unincorporated voted yes, Salt Lake City voted yes. The motion passed. 15-0.

2.8 Discussion and Consideration of Resolution 22-13, Resolution of the Board Approving a Request to Facilitate Elective Donations as a Programmatic Approach to Low-Income Assistance.

Board Member Thomas gave the summary. If the Board adopts this resolution the board asks Rocky Mountain power to facilitate elective donations for the Program. Rather than making this a programmatic approach it is a request for RMP to create this in the future because RMP cannot manage this currently. Board member Silvestrini asked what the reason that RMP gave for not being able to do this currently. Board Member Thomas said RMP related their website does not have the security features needed to facilitate the donation. They may have also been concerned about donations competing for programs already in existence. The Board can ask RMP to do this in the future. Board Member DeSeelhorst said they accept mail donations and in her conversations with RMP they indicated that their website may be changing in the future.

Board Member Wright made the motion to approve Resolution 22-13, Resolution of

the Board Approving a Request to Facilitate Elective Donations as a Programmatic Approach to Low-Income Assistance. Board Member Silvestrini seconded the motion. Board Member Dugan asked for the roll call vote. Alta voted yes, Castle Valley voted yes, Coalville did not vote and was not present, Cottonwood Heights voted yes, Emigration Canyon Township voted yes, Francis did not vote and was not present, Grand County Unincorporated voted yes, Holladay voted yes, Kearns voted yes, Moab voted yes, Millcreek voted yes, Oakley did not vote and was not present, Ogden voted yes, Park City voted yes, Salt Lake County Unincorporated voted yes, Springdale voted yes, Summit County Unincorporated voted yes, Salt Lake City voted yes. The motion passed. 15-0.

2.9 Discussion and Consideration of Resolution 22-14, Resolution of the Board Approving an Automatic Opt-out as a Programmatic Approach to Low-Income Assistance

Board Member Thomas gave the fourth and final summary. This resolution would ask for the opt-out of certain customers automatically. Per the state law everyone in a community is automatically enrolled. This resolution would flip that for certain customers, and they would have to opt themselves in. These customers would be customers in schedule 3 or 60 days behind on their payments. These customers would not be enrolled in the program and would receive two automatic opt-in notices. Any customers opted out would be allowed to opt-in at no cost and at no delay. Board Member Silvestrini said this is the most problematic resolution to him. People opted out are already in arrears or are already receiving assistance. Board Member Silvestrini said this option is almost paternalistic that they do not want to participate in more renewable energy. What happens if someone who is opted out and then opts in are they still allowed to get the fee waiver and monthly bill credit. Board Member DeSeelhorst said yes, the Committee did meet with community groups who help with low-income assistance. That does not mean that every organization would agree. There are arguments to be made on both sides. Board Member DeSeelhorst said this strategy does not aim to assume that low-income households do not want to contribute to renewable energy. It instead considers that this strategy could ease discomfort about high energy bills in general. Perhaps opting out could be too much of a time burden. Board Member Wright said he is not in favor of this resolution. Resolution 22-11 should cover most people in the low-income program. Board Member Rubell asked that assuming the answer is no to this resolution and people in the low-income programs are auto-enrolled, and they have auto-pay, people need outreach so they can know what is coming and that their bill may change. Board member Thomas said all customers will receive the opt-out notices separate from bills. Board Member Choberka said her concern is there is a lot of communication happening all at once that will make the communication convoluted. Chair Dugan said he would like to give everyone the ability to participate. If your employer has automatic 401k enrollment then more people participate. Board Member Rubell asked how will the communications be sent out? Board member DeSeelhorst said that the opt-out notices will come back for approval with the Board. Board Member Aton said he agrees with Board Member Wright and is not in favor of this resolution. There are multiple options given to people if they wish to opt out or continue with the Program and receive a bill credit.

No motion was made. The Resolution fails.

2.10 Board Member Comments

Board Member Quinton was informed that the Intermountain Sustainability Summit will be in March 2023 and is happy to help brainstorm about a proposal to speak at the Summit. Board member Silvestrini said he thought this is a good opportunity to make the Program more available to the public. Board Member Quinton said the call for speakers ends on January 6th, 2023.

Board Member Choberka asked that members of the Board come to Ogden for the Summit. Chair Dugan thanked Board Member Stock and Board Member Wright for their help and energy given to the Community Energy Board. Board Member Thomas said he is pleased and proud to be part of this organization.

2.11 Closed Session (If Needed): The Board may convene in a closed session to discuss items as provided by Utah Code Ann. 52-4-205.

3. Adjournment

Board Member Silvestrini moved to adjourn the meeting at 2:37 p.m. Board Member Wright seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

APPROVED: _____ Date
Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

Community Renewable Energy Agency Board

Treasurer's Report for 1/9/23 Meeting

Billing report (p. 1 of 2)

Community Renewable Energy

Billing Report

For Date Range: 09/01/2021 - 12/31/2022

CRE - CRE MEMBERSHIP

Date Billed	Name	Account Name	Amount
9/15/2021	GRAND COUNTY	Membership Fee - Phase I Initial Payment	2,109.37
9/15/2021	SUMMIT COUNTY	Membership Fee - Phase I Initial Payment	10,759.97
9/15/2021	TOWN OF ALTA	Membership Fee - Phase I Initial Payment	218.93
9/15/2021	TOWN OF CASTLE VALLEY	Membership Fee - Phase I Initial Payment	106.74
9/15/2021	COTTONWOOD HEIGHTS	Membership Fee - Phase I Initial Payment	10,942.10
9/15/2021	FRANCIS CITY	Membership Fee - Phase I Initial Payment	421.54
9/15/2021	CITY OF HOLLADAY	Membership Fee - Phase I Initial Payment	9,387.72
9/15/2021	KEARNS	Membership Fee - Phase I Initial Payment	9,606.01
9/15/2021	MOAB CITY	Membership Fee - Phase I Initial Payment	2,237.95
9/15/2021	MILLCREEK	Membership Fee - Phase I Initial Payment	18,421.40
9/15/2021	OGDEN CITY	Membership Fee - Phase I Initial Payment	35,737.26
9/15/2021	PARK CITY	Membership Fee - Phase I Initial Payment	6,742.38
9/15/2021	SALT LAKE CITY	Membership Fee - Phase I Initial Payment	101,050.33
9/15/2021	SPRINGDALE CITY	Membership Fee - Phase I Initial Payment	481.26
10/19/2021	SALT LAKE COUNTY	Membership Fee - Phase I Initial Payment	11,570.26
11/10/2021	GRAND COUNTY	Anchor Payment - Phase I	2,146.04
11/10/2021	SUMMIT COUNTY	Anchor Payment - Phase I	10,947.00
11/10/2021	TOWN OF CASTLE VALLEY	Anchor Payment - Phase I	108.60
11/10/2021	MOAB CITY	Anchor Payment - Phase I	2,276.85
11/10/2021	MILLCREEK	Anchor Payment - Phase I	18,741.59
11/10/2021	PARK CITY	Anchor Payment - Phase I	6,859.57
11/10/2021	SALT LAKE CITY	Anchor Payment - Phase I	102,806.76

Billing report (p. 2 of 2)

4/12/2022 GRAND COUNTY	Membership Fee - Phase II Initial Payment	2,109.37
4/12/2022 SUMMIT COUNTY	Membership Fee - Phase II Initial Payment	10,759.97
4/12/2022 TOWN OF ALTA	Membership Fee - Phase II Initial Payment	218.93
4/12/2022 TOWN OF CASTLE VALLEY	Membership Fee - Phase II Initial Payment	106.74
4/12/2022 COTTONWOOD HEIGHTS	Membership Fee - Phase II Initial Payment	10,942.10
4/12/2022 FRANCIS CITY	Membership Fee - Phase II Initial Payment	421.54
4/12/2022 CITY OF HOLLADAY	Membership Fee - Phase II Initial Payment	9,387.72
4/12/2022 KEARNS	Membership Fee - Phase II Initial Payment	9,606.01
4/12/2022 MOAB CITY	Membership Fee - Phase II Initial Payment	2,237.95
4/12/2022 MILLCREEK	Membership Fee - Phase II Initial Payment	18,421.40
4/12/2022 OGDEN CITY	Membership Fee - Phase II Initial Payment	35,737.26
4/12/2022 PARK CITY	Membership Fee - Phase II Initial Payment	6,742.38
4/12/2022 SALT LAKE CITY	Membership Fee - Phase II Initial Payment	101,050.33
4/12/2022 SPRINGDALE CITY	Membership Fee - Phase II Initial Payment	481.26
4/12/2022 SALT LAKE COUNTY	Membership Fee - Phase II Initial Payment	11,570.26
5/4/2022 COALVILLE CITY	Membership Fee - Phase I Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase I Initial Payment	520.00
5/4/2022 COALVILLE CITY	Membership Fee - Phase II Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase II Initial Payment	520.00
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase I Initial Payment	456.22
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase II Initial Payment	456.22
9/27/2022 GRAND COUNTY	Anchor Payment - Phase II	1,692.06
9/27/2022 SUMMIT COUNTY	Anchor Payment - Phase II	8,631.28
9/27/2022 TOWN OF CASTLE VALLEY	Anchor Payment - Phase II	85.62
9/27/2022 MOAB CITY	Anchor Payment - Phase II	1,795.21
9/27/2022 MILLCREEK	Anchor Payment - Phase II	14,777.01
9/27/2022 PARK CITY	Anchor Payment - Phase II	5,408.50
9/27/2022 SALT LAKE CITY	Anchor Payment - Phase II	81,059.05

Total Billed \$ 700,000.00

Revenue report (p. 1 of 2)

Revenue Receipt Report

For Date Range: 09/01/2021 - 12/31/2022

CRE - CRE MEMBERSHIP

Post Date	Receipt Name	Account Number	Account Name	Amount
9/24/2021	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase I Initial Payment	218.93
9/24/2021	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase I Initial Payment	9,606.01
9/24/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase I Initial Payment	106.74
9/27/2021	CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase I Initial Payment	9,387.72
9/27/2021	SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	10,759.97
9/29/2021	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase I Initial Payment	10,942.10
9/30/2021	MILLCREEK	701-3450-0000	Membership Fee - Phase I Initial Payment	18,421.40
10/4/2021	CITY OF MOAB	701-3450-0000	Membership Fee - Phase I Initial Payment	2,237.95
10/4/2021	OGDEN CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	35,737.26
10/4/2021	SALT LAKE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	101,050.33
10/8/2021	FRANCIS CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	421.54
10/8/2021	TOWN OF SPRINGDALE	701-3450-0000	Membership Fee - Phase I Initial Payment	481.26
10/28/2021	PARK CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	6,742.38
11/10/2021	GRAND COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	2,109.37
11/23/2021	PARK CITY	701-3450-0000	Anchor Payment - Phase I	6,859.57
11/23/2021	SUMMIT COUNTY	701-3450-0000	Anchor Payment - Phase I	10,947.00
11/23/2021	SALT LAKE CITY	701-3450-0000	Anchor Payment - Phase I	102,806.76
11/29/2021	MILLCREEK	701-3450-0000	Anchor Payment - Phase I	18,741.59
11/29/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Anchor Payment - Phase I	108.60
11/29/2021	CITY OF MOAB	701-3450-0000	Anchor Payment - Phase I	2,276.85
12/7/2021	SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	11,570.26
2/17/2022	GRAND COUNTY	701-3450-0000	Anchor Payment - Phase I	2,146.04
4/18/2022	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase II Initial Payment	10,942.10
4/21/2022	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase II Initial Payment	9,606.01
4/21/2022	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase II Initial Payment	218.93
4/25/2022	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase II Initial Payment	106.74
4/25/2022	PARK CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	6,742.38
5/2/2022	SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	10,759.97
5/10/2022	GRAND COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	2,109.37
5/19/2022	OAKLEY CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	520.00
6/1/2022	COALVILLE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	562.99
6/1/2022	SPRINGDALE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	481.26
6/21/2022	SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	11,570.26
6/27/2022	EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase I Initial Payment	456.22
6/27/2022	EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase II Initial Payment	456.22

Revenue report (p. 2 of 2)

7/7/2022 MILLCREEK	701-3450-0000	Membership Fee - Phase II Initial Payment	18,421.40
7/19/2022 SALT LAKE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	101,050.33
7/27/2022 OGDEN CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	35,737.26
7/27/2022 CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase II Initial Payment	9,387.72
7/29/2022 COALVILLE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	562.99
7/29/2022 FRANCIS CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	421.54
7/29/2022 CITY OF MOAB	701-3450-0000	Membership Fee - Phase II Initial Payment	2,237.95
8/8/2022 OAKLEY CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	520.00
10/6/2022 SUMMIT COUNTY	701-3450-0000	Anchor Payment - Phase II	8,631.28
10/6/2022 SALT LAKE CITY	701-3450-0000	Anchor Payment - Phase II	81,059.05
10/6/2022 CITY OF MOAB	701-3450-0000	Anchor Payment - Phase II	1,795.21
10/17/2022 MILLCREEK	701-3450-0000	Anchor Payment - Phase II	14,777.01
10/27/2022 TOWN OF CASTLE VALLEY	701-3450-0000	Anchor Payment - Phase II	85.62
11/16/2022 PARK CITY	701-3450-0000	Anchor Payment - Phase II	5,408.50

Total Received \$ 698,307.94

Accounts payable report:**Community Renewable Energy**

Accounts Payable Report

For Date Range: 09/01/2021 - 12/31/2022

Post Date	Vendor	Account Number	Account Name	Amount
12/21/2021	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	2,425.50
1/25/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	5,184.00
3/8/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,615.00
3/29/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	15,481.35
4/12/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	23,526.27
6/21/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	20,222.91
6/30/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,242.87
8/9/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	9,643.00
10/11/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	26,701.25
10/25/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	15,702.75
11/8/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	2,320.25
12/13/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	9,047.50

Total Paid	\$	<u>143,112.65</u>
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Unspent Revenue	\$	555,195.29
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Agenda Item 2.3 Communications Committee Update

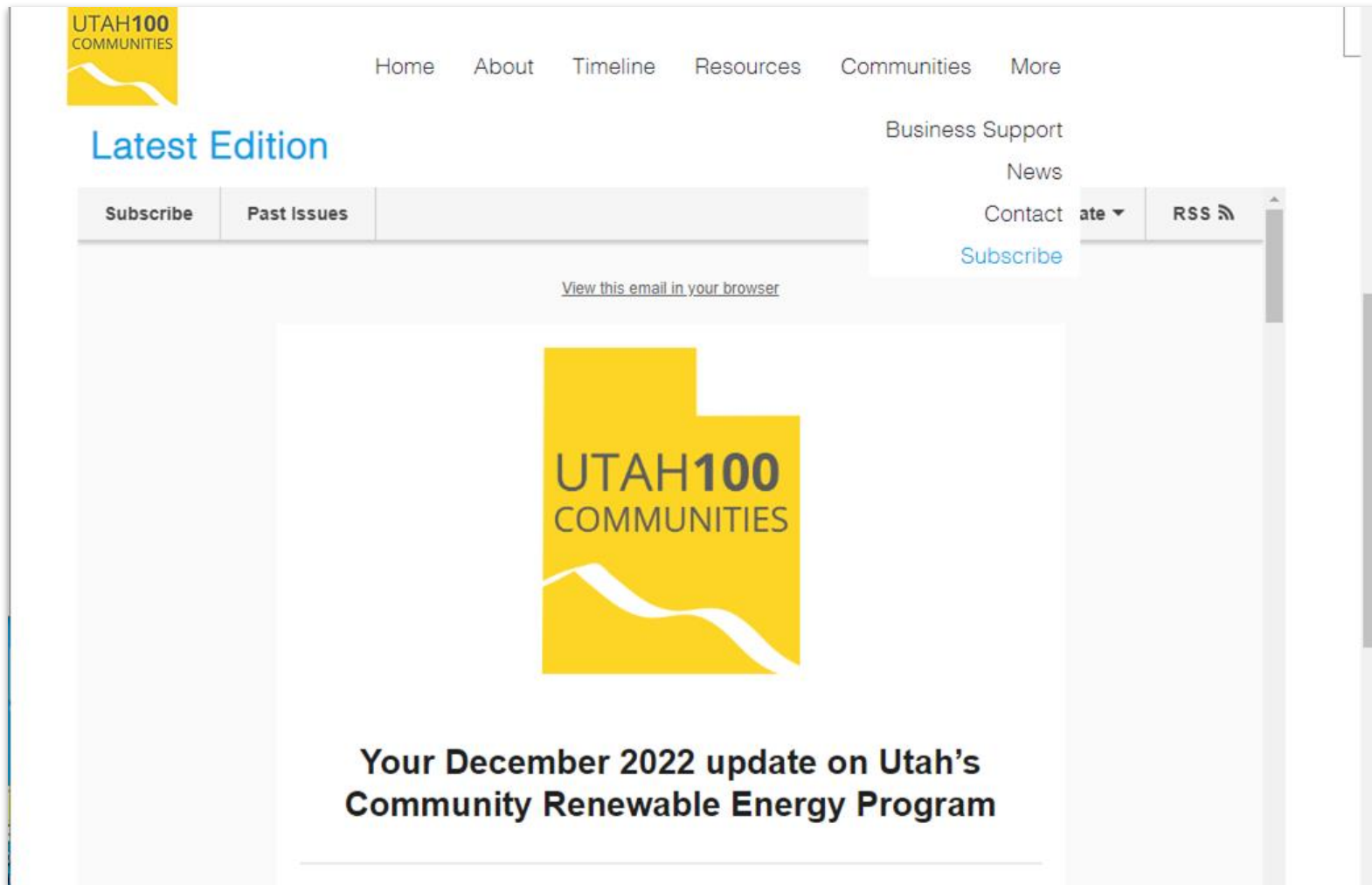
Community Renewable Energy Board Meeting
January 2023

*Committee Membership: Salt Lake City, Cottonwood
Heights, Alta, Holladay, Moab*



Committee Activities - December

- *December 6th Meeting:* discussed RFP response review process, planned for December [Newsletter](#), e-kit
- *December 15th Meeting:* reviewed RFP response, discussed next steps
- *January 3rd Meeting:* discussed consultant procurement, planned for January communications activities



Communications Consultant

- Communications RFP closed on December 9th
- We only received 1 response
- After reviewing and discussing the response, the committee decided not to hire the respondent
- The committee intends to continue pursuing a procurement, will work with Millcreek to identify next steps: activate a State of Utah cooperative contract, or issue another RFP

January Communications Activities

- Newsletter, E-kit:
 - Update on municipal ordinance finalization
 - Low income strategies
 - Intermountain Sustainability Summit, Agency presentation
- Targeting send on Monday, 1/23



LET'S CONNECT



working towards
100% renewable energy
to match electricity use
by the year 2030

Next Steps

- *Continue working with Millcreek to explore consultant procurement options*
- *Meeting with Sierra Club, O2 Utah on January 18th to discuss communications coordination in advance of our Program application*
- *Prepare and distribute January Newsletter, e-kit*
- *Monthly meetings: changed to second Friday at 10:00 AM*

Agenda Item 2.3 Low-Income Plan Committee Update

Community Renewable Energy Board Meeting
January 2023



Low-Income Plan Committee Membership

- Castle Valley
- Cottonwood Heights
- Kearns
- Ogden
- Park City
- Salt Lake City
- Summit County

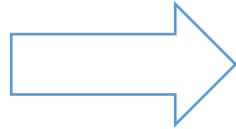
[Resolution 21-12](#)

Low-Income Plan Requirement

- The Community Renewable Energy Act
 - “[The Program Application shall include]... **a proposed plan established by the participating community addressing low-income programs and assistance...**”
- Public Service Commission Rules
 - “[The Program Application shall include]... **a description of the plan proposed by each eligible community addressing low-income programs and assistance...**”

Low-Income Plan Approach

Each community needs to provide a plan for low-income assistance as part of our Program Application.



Decided to create a low-income plan template that each community can fill out to meet this requirement.



Board determined these templates should include a few different types of engagement strategies to strengthen our application

Low- Income Plan Template

1. Programmatic Strategies Section

Strategies that are built into the Program's design

2. Outreach Strategies Section

Strategies that focus on communicating program details

3. Elective Strategies Section

Any additional strategies a community decides to use locally

December 2022 Board Vote

At the December Board Meeting, the Agency Board adopted two Programmatic Strategies via unanimous vote:

1. Enhanced Monthly Bill Credit

For participating customers who are enrolled in Schedule 3 (“Low Income Lifeline Program – Residential Service”) an additional monthly bill credit will be applied in an amount equal to the estimated average residential customer rate impact, not to exceed \$7.00. This monthly bill credit will be funded through a monthly surcharge paid by participating customers who are not enrolled in Schedule 3, in an amount not to exceed \$0.70.

2. Termination Fee Waiver

For participating customers who are enrolled in Schedule 3 (“Low Income Lifeline Program – Residential Service”) the termination fee for exiting the community renewable energy program, if any, will be waived.

At this same meeting, the Agency Board also adopted a resolution stating its support for a future elective donation program via Rocky Mountain Power’s online billing platform.

December 2022

Low-Income Plan Template Updates

- Following this Board vote, the Committee has updated each community's Low-Income Plan Template (via Google Docs) to include the approved Programmatic Strategies.
- Additionally, the Committee is working on some verbiage updates to more clearly convey the purpose of the Low-Income Plans, within the introductory paragraph listed in each Template. Thank you for the suggestion, Moab!

Request: Finalize Outreach Strategies/Elective Strategies by end of January 2023.

- A previous timeline projected our Program Application submittal during December 2022. The Program Design Committee has notified us that we now expect submittal to take place in March 2023.
- With a few more months of preparation time available, we've extended the deadline for each community to finalize their Outreach Strategies and Elective Strategies sections.
 - **Outreach Strategies:** Add or remove any suggested organizations from your list.
 - **Elective Strategies:** Add any elective strategies your community is planning to deploy, if applicable. **This section can also be left blank.**

Conducting Outreach

- Although each community is finalizing which organizations are included in their Outreach Strategies section now, outreach to these organizations doesn't need to take place until after the Program Application is approved.
- If communities plan to provide outreach to organizations they've never worked with, it may be good to initiate contact early on, prior to formal outreach taking place.
- The Low-Income Plan Committee will identify overlap of organizations among the various community templates, and coordinate with these communities to eliminate the need for each individual community to reach out.

QUESTIONS?

*Meet with the Low-Income Plan
Committee to discuss!*

Email Samantha DeSeelhorst to set up a 1:1 meeting with
the Committee.

sdeseelhorst@ch.Utah.gov

Agenda Item 2.3 Program Design Committee Update

Community Renewable Energy Board Meeting
January 2022



Program Design Committee Membership

- Summit County
- Holladay
- Millcreek
- Ogden
- Park City
- Salt Lake City
- Springdale

[Resolution 21-05](#)

[Resolution 21-06](#)

Key Activities

- Committee met twice in December
- Small coordination group continued to communicate
 - For Program Design Committee – Phillip Russell and Kevin Higgins
 - For Rocky Mountain Power – Craig Eller and Joe Dallas

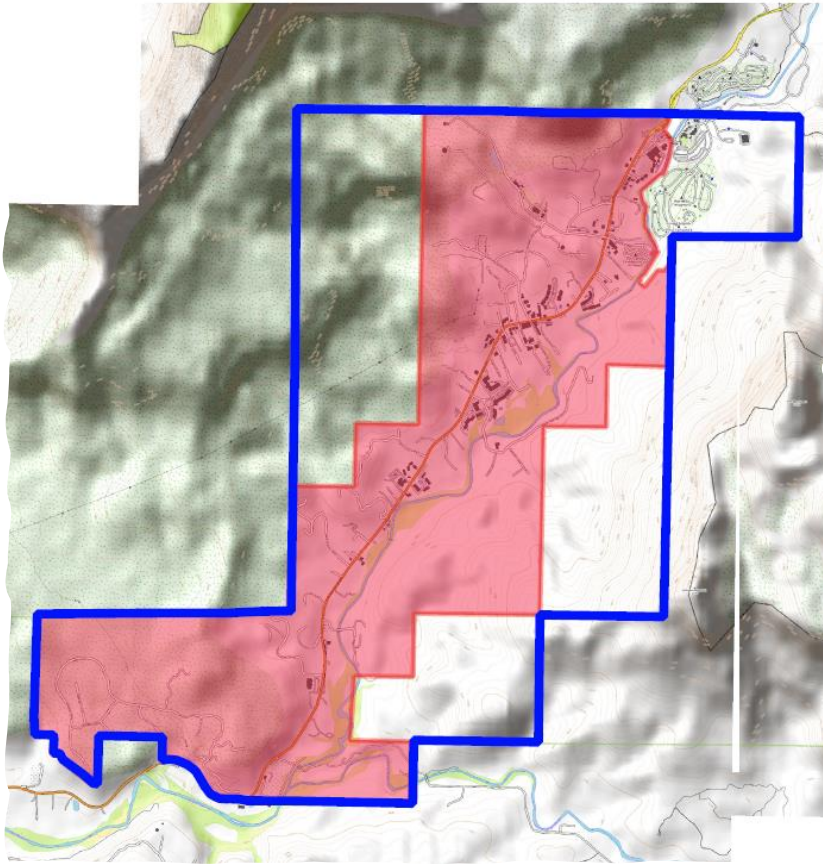
Program Application – Required Items

	Agency Working Committee	Rocky Mountain Power	Board Vote
Name and boundary map for each eligible community	Drafted	Reviewing draft	
Proposed ordinance language	Drafted	--	Jan 2023
Customer count by schedule, monthly load by class, 10-year load forecast by class	Gathering data		
Projected program rates for each customer class	Conceptual Discussions		
Process for periodic rate adjustment filings	Conceptual Discussions		
Proposed tariff changes		Not started	
Utility Agreement	Drafted	Reviewing draft	
Governance Agreement	Complete		
Plans for low-income assistance (Programmatic)	Recommendations	Reviewed	Approved*
Proposed resource solicitation process	Conceptual Discussions		
Proposed form of opt-out notices	Conceptual Discussions		
Projected implementation date	Conceptual Discussions		
Other informational materials	Not Started		
Explanation how other customers and utility not subject to costs	Conceptual Discussions		

Requests: Preparing for the Utility Agreement

- The Committee hopes to present a near-final version of the Utility Agreement to the Board at our regular meeting on **Feb 6**
- Please solicit feedback from your municipal attorney on that draft between **Feb 7 and Feb 18**
- The Program Design Committee hopes there will be a vote to approve the Utility Agreement at a special Board meeting on **Feb 27**
- Please schedule time on your Council or Commission's agenda to present the Utility Agreement for signature during the **month of March after March 6th**
- We hope to bring additional Program Design issues to the Board for consideration at the regular meeting on **Mar 6** and a special meeting on **Mar 27**

Community Maps



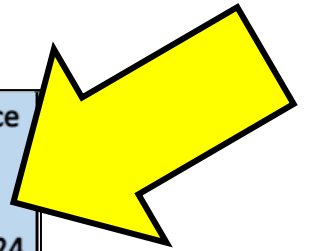
- New boundary + jurisdictional area maps sent Dec 22 – thanks to those who responded
- Map status
 - Completed / OK: Alta, Holladay, Castle Valley, Springdale, Salt Lake City
 - Checking: Cottonwood Heights
 - Investigating: Park City, Summit County, Francis
 - Unsure: Grand County, Millcreek, Moab, Coalville, Emigration, Kearns, Oakley, Ogden, Salt Lake County
- Some communities seem to be careful about “jurisdictional areas” and some do not
- Rocky Mountain Power uses a **Tax ID** code to distinguish between Federal and non-Federal customer accounts and this code will likely determine who becomes automatically enrolled in the Program

Request: Prepare to budget for opt-out noticing

- State law requires that communities cover the cost to mail two opt-out notices to customers within their boundaries
- These are the last costs we envision participating communities will need to appropriate; future costs should be paid through Program rates
- We envision opt-out noticing beginning sometime between Dec 2023 and Mar 2024
- **Cities and Towns should budget these costs for FY 2024 (July 2023 – Jun 2024)**
- **If possible, Counties should budget these costs for FY 2023 (Jan 2023 – Dec 2023) but if not, budgeting for FY 2024 (Jan 2024 – Dec 2024) should be OK**
- Please note: A community only needs to pay for the noticing costs if it passes the ordinance to finalize participation
- Old 2019 estimate appears on next page; newer estimates have been requested and will be emailed when available

OLD 2019 noticing cost estimates

List of Eligible Communities	Cost Allocation % (Population and Electric Load)	Total Non-Noticing Costs (\$700,000)	Budget Guidance for Phase 1 Costs Cities:FY22 Counties:FY21-22	Budget Guidance for Phase 2 Costs Cities:FY23 Counties:FY22-23	Total Est. Noticing Costs (Two Mailers * # Customers)	Budget Guidance for Noticing Cities:FY24-25 Counties:FY23-24
Alta	0.063%	437.87	218.93	218.93	206.27	206.27
Bluffdale	3.168%	22,177.13	11,088.57	11,088.57	4,236.10	4,236.10
Castle Valley	0.030%	213.49	106.74	106.74	207.07	207.07
Coalville	0.161%	1,125.98	562.99	562.99	-	-
Cottonwood Heights	3.126%	21,884.21	10,942.10	10,942.10	11,497.77	11,497.77
Emigration Canyon Township	0.130%	912.45	456.22	456.22	480.24	480.24
Francis	0.120%	843.08	421.54	421.54	489.00	489.00
Grand County Unincorporated	0.603%	4,218.74	2,109.37	2,109.37	2,435.42	2,435.42
Holladay	2.682%	18,775.45	9,387.72	9,387.72	10,147.86	10,147.86
Kamas	0.212%	1,486.98	743.49	743.49	758.18	758.18
Kearns	2.745%	19,212.02	9,606.01	9,606.01	8,376.64	8,376.64
Millcreek	5.263%	36,842.80	18,421.40	18,421.40	19,721.50	19,721.50
Moab	0.639%	4,475.90	2,237.95	2,237.95	2,780.27	2,780.27
Oakley	0.149%	1,040.00	520.00	520.00	574.21	574.21
Ogden	10.211%	71,474.53	35,737.26	35,737.26	29,136.66	29,136.66
Orem	8.863%	62,039.05	31,019.52	31,019.52	27,402.88	27,402.88
Park City	1.926%	13,484.75	6,742.38	6,742.38	8,338.41	8,338.41
Salt Lake City	28.872%	202,100.63	101,050.32	101,050.32	78,221.00	78,221.00
Salt Lake County Unincorporated	3.306%	23,140.51	11,570.26	11,570.26	9,805.40	9,805.40
Springdale	0.138%	962.53	481.26	481.26	491.38	491.38
Summit County Unincorporated	3.074%	21,519.95	10,759.97	10,759.97	10,591.46	10,591.46
West Jordan	10.833%	75,833.53	37,916.77	37,916.77	30,484.19	30,484.19
West Valley City	13.685%	95,798.44	47,899.22	47,899.22	35,945.17	35,945.17
	100.000%	\$ 700,000.00	\$ 350,000.00	\$ 350,000.00	\$ 292,327.07	\$ 292,327.07



Next Steps

- Vote on proposed ordinance language (today)
- Vote on comments to be sent to the EPA regarding Climate Pollution Reduction Grants (today)
- **Requests for member communities**
 - Please request time on your Council / Commission agenda for March to present the Utility Agreement
 - Please be ready to solicit input from your municipal attorney on draft Utility Agreement in February
 - Please plan to budget for noticing costs using updated estimates to be provided by email later this month

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 23-01

A RESOLUTION OF THE BOARD APPROVING MODEL ORDINANCE LANGUAGE

WHEREAS, the Community Renewable Energy Board (“Board”) met in a regular meeting on January 9, 2023 to consider, among other things, a resolution of the Board approving model ordinance language (all capitalized terms used herein and not otherwise defined are defined as set forth in the Agreement referenced below);

WHEREAS, pursuant to the Interlocal Cooperation Act, codified at §11-13-101 *et seq.* and adoption of an Interlocal Cooperative Agreement (“Agreement”) the Community Renewable Energy Agency (“Agency”) was formed; and

WHEREAS, pursuant to the Rules Governing the Community Renewable Energy Program, codified at Utah Administrative Code R746-314 *et seq.* (the “Rules”), an application filed with the Utah Public Service Commission to approve a community renewable energy program (“Program Application”) must include “the proposed ordinance language that each such eligible community must adopt to become a participating community”; and

WHEREAS, the Board finds it necessary to approve proposed ordinance language (“Ordinance”) to be included in the Program Application.

NOW, THEREFORE, BE IT RESOLVED by the Board that the Ordinance attached hereto as Exhibit A is approved for inclusion in the Program Application.

This Resolution assigned No. 23-01, shall take effect immediately.

PASSED AND APPROVED by the Board this 9th day of January, 2023.

**COMMUNITY RENEWABLE ENERGY
BOARD**

Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

Exhibit A

[COMMUNITY]
ORDINANCE NO. _____

AN ORDINANCE OF [COMMUNITY] ENACTING TITLE ___, CHAPTER ___ TO THE
[COMMUNITY] CODE, COMMUNITY RENEWABLE ENERGY PROGRAM

Preamble

WHEREAS, in 2019, the Utah State Legislature enacted H.B. 411 that was codified at Utah Code Ann. §§ 54-17-901 to -909, and is known as the “Community Renewable Energy Act” (“Act”); and

WHEREAS, the Act authorizes the Utah Public Service Commission (“Commission”) to establish a community renewable energy program (“Program”) whereby towns, municipalities, and counties may cooperate with qualified utilities to provide electric energy for participating customers from renewable energy resources, in an amount that equals their annual consumption; and

WHEREAS, the Act provides that a customer of a qualified utility may be served by the Program if the town, municipality, or county (“Community”) in which the customer resides satisfies certain requirements, including:

(a) the Community must adopt a resolution no later than December 31, 2019, that states a goal of achieving an amount equivalent to 100% of the annual electric energy supply for participating customers from a renewable energy resource by 2030; and

(b) the Community must enter into an agreement with a qualified utility (“Utility Agreement”):

(i) stipulating to the payment to the qualified utility of the costs of:

(A) third-party expertise contracted for by the Division of Public Utilities and the Office of Consumer Services, for assistance with activities associated with initial approval of the Program; and

(B) providing notice to the Community’s customers as provided in the Act;

(ii) determining the obligation for the payment of any termination charges under the Act that are not paid by a participating customer and not included in participating customer rates; and

(iii) identifying any initially proposed replaced asset;

(c) the Community must, within ninety (90) days after the date of the Commission’s order approving the Program, adopt a local ordinance that:

- (i) establishes participation in the Program; and
 - (ii) is consistent with the terms of the Utility Agreement; and
- (d) the Community must comply with any other terms or conditions required by the Commission; and

WHEREAS, the Act further authorizes the Commission to adopt administrative rules to implement the Act and the Commission has adopted such rules as set forth in Utah Administrative Code R746-314-101 through -402 (“Rules”); and

WHEREAS, the Rules require that a customer of a qualified utility may be served by the Program if, in addition to the requirements of the Act, the Community in which the customer resides also adopts an agreement (“Governance Agreement”) with other eligible Communities to establish a cooperative decision-making process for Program design, resource solicitation, resource acquisition, and other Program issues and provides a means of ensuring that eligible Communities and those that become participating Communities will be able to reach a single joint decision on any necessary Program issues; and

WHEREAS, consistent with the requirements of the Act, on [DATE], [COMMUNITY] adopted Resolution No _____, which states a goal of achieving an amount equivalent to 100% of the annual electric energy supply for [NAME OF COMMUNITY’S] participating customers from a renewable energy resource by 2030; and

WHEREAS, consistent with the requirements of the Rule, [COMMUNITY] entered into a Governance Agreement with other eligible Communities, thereby becoming a member of the Community Renewable Energy Agency (“Agency”), which endeavored to make certain joint decisions about the proposed Program on behalf of Communities ; and

WHEREAS, consistent with the requirements of the Act, [COMMUNITY] entered into a Utility Agreement with Rocky Mountain Power, a qualified utility under the Act, effective as of [DATE], which addresses the issues required by the Act; and

WHEREAS, consistent with the requirements of the Act, on [DATE] Rocky Mountain Power filed an application with the Commission seeking approval of the Program and the Commission opened Docket No. [_____] to consider the application; and

WHEREAS, consistent with the requirements of the Act, on [DATE] the Commission issued an order in Docket No. [_____] (“Commission Order”) approving the Program; and

WHEREAS, as contemplated in the Act, the [COMMUNITY COUNCIL/COMMISSION] desires to adopt this ordinance that satisfies the requirement of the Act; and

WHEREAS, the [COMMUNITY COUNCIL/COMMISSION] desires to take actions which it has determined promotes the health, safety and welfare of the [COMMUNITY]’s residents; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] has determined that adoption of this ordinance will enhance the economic well-being of the [COMMUNITY] and its residents through prudent management of the [COMMUNITY]'s financial resources; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] has determined that adoption of this ordinance will help address concerns related to poor air quality and other environmental concerns due in part to the use of fossil fuels; and

WHEREAS, the [COMMUNITY COUNCIL/COMMISSION] finds that energy sources utilized by and within [COMMUNITY] therefore can impact public health, safety and welfare; and

WHEREAS, recent advances in energy technology have made renewable energy more economically viable than in the past and, in some cases, more cost-effective than traditional energy sources; and

WHEREAS, proximity to outdoor recreation is a key economic contributor to [COMMUNITY] and one which relies on preservation of the environment and protection of natural resources; and

WHEREAS, [COMMUNITY] and its residents have shown an interest in environmental stewardship through various initiatives and activities surrounding growth and development; and

WHEREAS, [include description of Participating Community's prior sustainability actions]; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] believes that determining and undertaking further actions designed to reduce fossil fuel dependence while appropriately balancing financial stewardship and promoting economic growth is an important component of safeguarding public health, safety and welfare; and

WHEREAS, [COMMUNITY COUNCIL/COMMISSION] met in regular session on [____], 2022 to, among other things, consider adopting the Program on behalf of [COMMUNITY's] electric customers; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF [COMMUNITY] AS FOLLOWS:

Section 1. Adoption. [COMMUNITY] Code, Title __, Chapter __, Community Renewable Energy Program, which is published as a code in book form, is adopted in accordance with Exhibit A herein, copies of which have been filed for use and examination in the Office of the [COMMUNITY CLERK/RECORDER] (the "Community Renewable Energy Program Ordinance").

Section 2. **Savings Clause.** In the event one or more of the provisions of this Community Renewable Energy Program Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under applicable laws, such unenforceability or invalidity shall not affect any other provision; and in such an event, this Community Renewable Energy Program Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

Section 3. **Effective Date.** This Community Renewable Energy Program Ordinance shall take effect upon publication by [COMMUNITY] in a newspaper of general circulation in [COMMUNITY], Utah.

APPROVED, ADOPTED, AND PASSED and ordered published by the [COMMUNITY COUNCIL/COMMISSION], this __ day of _____, 2022.

ATTEST:

[COMMUNITY COUNCIL/COMMISSION]

Name: _____
[COMMUNITY CLERK/RECORDER]

Name: _____
[COUNCIL/COMMISSION CHAIR]

APPROVED AS TO FORM:

VOTING OF [COUNCIL/COMMISSION]

Name: _____
[CITY/COUNTY ATTORNEY]

DRAFT

EXHIBIT A

TITLE ____

CHAPTER ____

COMMUNITY RENEWABLE ENERGY PROGRAM

SECTION 1. [COMMUNITY'S] PARTICIPATION IN COMMUNITY RENEWABLE ENERGY PROGRAM

1.1 [COMMUNITY] hereby establishes its participation in the Community Renewable Energy Program ("Program") as approved by the Public Service Commission of Utah ("Commission").

1.2 On [DATE], the Commission issued an order in Docket No. [_____] ("Commission Order") approving the Program. The Commission Order is on file with the Commission. The Program's rates, rules, and requirements are governed by the Commission Order, and may be modified from time to time by subsequent rules and orders adopted by the Commission. To the extent that the Commission Order or any subsequent rule or order adopted by the Commission contradicts any portion of this Title, the Commission order or rule or order adopted by the Commission shall govern.

1.3 **ELIGIBLE CUSTOMERS.** Pursuant to Utah Code § 54-17-905(5), residential customers participating in the net metering program under Utah Code Title 54, Chapter 15, Net Metering of Electricity, are not eligible to participate in the Program. All other retail electric customers of Rocky Mountain Power within the current and future boundaries of [COMMUNITY], including all residential, commercial, and industrial customers, are eligible to participate in the Program ("Eligible Customer").

1.4 **COMMENCEMENT DATE.** The Program shall commence effective [DATE] ("Program Commencement Date"). Eligible Customers shall be enrolled in the Program if they receive the Notices identified in Section 2, below, and decline to opt out of participation in the Program by the date set forth in the Notices. Consistent with the Act and the Commission Order, the Notices shall be sent to each Eligible Customer before the commencement date that applies to each such customer ("Customer Commencement Date"), as set forth below.

1.4.1 For each Eligible Customer that continuously remains an Eligible Customer within [COMMUNITY] for at least 60 days prior to and through the Program Commencement Date, the Customer Commencement Date shall be the same as the Program Commencement Date.

1.4.2 For electric customers that become Eligible Customers within [COMMUNITY] after the Program Commencement Date (e.g., when a customer becomes a retail electric customer of Rocky Mountain Power

within the boundaries of [COMMUNITY] after the Program Commencement Date), the Customer Commencement Date shall be [_____] days after the customer becomes an Eligible Customer within [COMMUNITY].

SECTION 2. CUSTOMER PARTICIPATION IN COMMUNITY RENEWABLE ENERGY PROGRAM.

2.1 Each Eligible Customer shall be automatically enrolled in the Program unless the customer opts out of the Program prior to the customer's Customer Commencement Date.

2.2 NOTICES. As set forth in the Act and the Commission Order, before any Eligible Customer becomes a participant in the Program, Rocky Mountain Power first shall deliver to each Eligible Customer notices (collectively, the "Notices") containing content and in the form, manner, and delivery method as required by the Act and Commission Order and other orders and rules adopted by the Commission.

2.3. OPT-OUT. Each Eligible Customer may elect not to participate in the Program and to continue to pay applicable existing electric rates by giving notice to Rocky Mountain Power in the manner and within the time period set forth in the Notices.

2.3.1 FIRST OPT-OUT NOTICE. Rocky Mountain Power shall provide a First Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within [COMMUNITY], no earlier than sixty (60) days and no later than thirty (30) days before the Customer Commencement Date applicable to each customer. The First Opt-Out Notice shall, in all material respects, use the form and content of the First Opt-Out Notice as approved by the Commission.

2.3.2 SECOND OPT-OUT NOTICE. Rocky Mountain Power shall provide a Second Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within [COMMUNITY], at least fifteen (15) days after the First Opt-Out Notice was provided and at least seven (7) days before the Customer Commencement Date applicable to such customer. The Second Opt-Out Notice shall, in all material respects, use the form and content of the Second Opt-Out Notice as approved by the Commission.

2.3.3 Each Eligible Customer that receives the First Opt-Out Notice and the Second Opt-Out Notice as described herein and declines to opt out of the Program by the customer's Customer Commencement Date will be enrolled in the Program.

2.4 CUSTOMER OPTION TO OPT IN TO PROGRAM. An Eligible Customer located within [COMMUNITY] that is not enrolled in the Program may at any time elect to participate in the Program by providing notice to Rocky Mountain Power in the form and content approved by the Commission. Following such notice to opt in to the Program, the customer will be enrolled in the Program starting with the billing period following the notice in which it is reasonably practicable for Rocky Mountain Power to enroll such customer. The reasonably

practicable billing period shall be based on when the notice was received from the customer and the customer's billing cycle. Following enrollment in the Program, the customer shall be subject to all Program requirements, including exit notices and termination fees.

2.5 **CUSTOMER OPTION TO EXIT PROGRAM.** Customers that do not opt out of the Program by the Customer Commencement Date, or who opt in to the Program, may subsequently exit the Program by taking the steps described in the Commission Order.

SECTION 3. TERMINATION FEES

3.1 If a customer declines to opt out of the Program prior to the applicable Customer Commencement Date, but subsequently exits the Program, the exiting customer may be required to pay a termination fee, as set forth in this Section.

3.2 When applicable, the amount of the termination fee shall be based on the rate schedule of the exiting customer, is set forth in the Commission Order, and may be modified from time to time by subsequent orders of the Commission.

3.3 **CIRCUMSTANCES IN WHICH TERMINATION FEE SHALL NOT APPLY:** A Termination Fee shall not apply in the following circumstances:

3.3.1 Any customer that ceases to be an electric customer of Rocky Mountain Power;

3.3.2 Any customer that moves to a new location that is not within the boundaries of a community that participates in the Program;

3.3.3 Any customer that seeks protection through bankruptcy proceedings;

3.3.4 _____.

SECTION 4. ACQUISITION OF RENEWABLE ENERGY RESOURCES

4.1 For purposes of this section, "renewable energy resource" shall have the definition set forth in Utah Code § 54-17-902(14).

4.2 Rocky Mountain Power may adopt or procure one or more renewable energy resources to serve the needs and goals of the Program. The acquisition of any such renewable energy resource must follow solicitation application and evaluation criteria approved by the Commission.

4.3 Any renewable energy resource adopted or procured by Rocky Mountain Power to serve the needs and goals of the Program must be approved by the Commission based on a finding the same is reasonable and in the public interest.

4.3 The Commission shall determine the method of cost recovery for any renewable energy resource acquired to meet Program needs and goals, and the Commission's determination regarding cost recovery may affect Program rates.

SECTION 5. PROGRAM RATES AND RATE ADJUSTMENT FILINGS

5.1 Program rates will be determined by the Commission.

5.2 The initial Program rates were determined by the Commission in the Commission Order.

5.3 Program rates may be adjusted by the Commission from time to time, consistent with the procedures set forth in the Commission Order for adjusting Program rates.

SECTION 6. UTILITY BILLING FOR PARTICIPATING CUSTOMERS

6.1 Rocky Mountain Power shall bill each Participating Customer on a monthly basis and shall:

6.1.1 include information in its monthly bills to participating customers identifying the Program cost; and

6.1.2 provide notice to participating customers of any change in rates for participation in the Program.

SECTION 7. [COMMUNITY] PARTICIPATION IN PROGRAM

7.1 Through its membership in the Community Renewable Energy Agency, [COMMUNITY] participated in the design and approval of the Program and shall participate in future decisions regarding renewable energy resource solicitation, renewable energy resource acquisition, and certain other Program issues.

7.2 Consistent with Utah Code § 54-17-903(2)(b), [COMMUNITY] entered into an agreement with Rocky Mountain Power ("RMP") regarding the facilitation of the Program ("Utility Agreement"). Pursuant to the Utility Agreement, [COMMUNITY]:

7.2.1 shall pay for the costs of third-party expertise contracted for in connection with the Program's development and initial approval by the Commission;

7.2.2 shall pay its proportional costs associated with RMP providing the Notices to the [COMMUNITY'S] customers as discussed in Section 2, above;

7.2.3 Termination charges not paid by a participating customer shall be included in participating customer rates and shall not be paid by [COMMUNITY];

7.2.4 There shall be no initially proposed “Replaced Asset” as that term is defined by Utah Code § 54-17-902(15).

7.3 [COMMUNITY] approved the appropriation of funds for the costs of third-party expertise contracted for in connection with the Program’s development and initial approval by the Commission pursuant to the Governance Agreement.

7.4 [COMMUNITY] hereby approves the appropriation of funds to pay its proportional costs associated with RMP providing the Notices to the [COMMUNITY’S] customers as discussed in Section 2, above.

7.5 [COMMUNITY] shall not be obligated to pay any costs of the Program other than those costs set forth herein and any costs that [COMMUNITY] may bear as a utility customer that participates in the Program, if applicable.

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 23-02

**A RESOLUTION OF THE BOARD APPROVING CLIMATE POLLUTION
REDUCTION GRANT COMMENTS**

WHEREAS, the Community Renewable Energy Board (“Board”) met in a regular meeting on January 9, 2023 to consider, among other things, a resolution of the Board approving Climate Pollution Reduction Act Comments (“Comments”) (all capitalized terms used herein and not otherwise defined are defined as set forth in the Agreement referenced below);

WHEREAS, pursuant to the Interlocal Cooperation Act, codified at §11-13-101 *et seq.* and adoption of an Interlocal Cooperative Agreement (“Agreement”) the Community Renewable Energy Agency (“Agency”) was formed; and

WHEREAS, pursuant to the Rules Governing the Community Renewable Energy Program (“Program”), codified at Utah Administrative Code R746-314 *et seq.* (the “Rules”), an application filed with the Utah Public Service Commission to approve a community renewable energy program (“Program Application”) must include “an explanation of how non-participating customers and the utility will not be subject to any program liabilities or costs”; and

WHEREAS, the United States Environmental Protection Agency (“EPA”) requested public comment through a Request for Information issued November 11, 2022 in Docket EPA-HQ-OAR-2022-0873 (“Docket”) regarding a \$5 billion appropriation to fund Climate Pollution Reduction Grants (“Grants”) for eligible entities; and

WHEREAS, the Grants could fund a financial backstop sufficient to prevent the imposition of liabilities or costs on non-participating customers and the utility, for one or more Program resources; and

WHEREAS, the Board finds it necessary to submit comments in the above-referenced Docket to further explore and preserve participating communities’ ability to apply for the Grants to support the Program.

NOW, THEREFORE, BE IT RESOLVED by the Board that comments attached hereto as Exhibit A are approved for submission in the above-referenced Docket.

This Resolution assigned No. 23-02, shall take effect immediately.

PASSED AND APPROVED by the Board this 9th day of January, 2023.

**COMMUNITY RENEWABLE ENERGY
BOARD**

Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

Exhibit A

The [Utah Community Renewable Energy Agency](#) (CREA; also called the “Utah 100 Communities”) is pleased to submit the following comments in response to the Environmental Protection Agency’s (EPA) [Request for Information - Climate Pollution Reduction Grant \(Docket ID No. EPA-HQ-OAR-2022-0873\)](#).

No responses are provided for questions #9 and #10. The following six introductory paragraphs are also repeated as a response to question #12, below.

CREA comprises 18 Utah counties, cities, and towns who are working with Utah’s largest electric utility, Rocky Mountain Power/PacifiCorp (RMP), to develop the Community Renewable Energy Program (Program). Together, CREA communities represent almost 25% of RMP’s Utah retail electricity load. Development of the Program is enabled by a state law called the [Utah Community Renewable Energy Act](#) (Act) passed in 2019. CREA’s first Board meeting took place in July 2021 and negotiations between the Board’s Program Design Committee and RMP have been taking place since December 2021.

The Program will be designed to provide “net-100% renewable electricity” – meaning that it should match 100% of participating customers’ annual electricity consumption with renewable energy generation delivered to the PacifiCorp system by 2030. Using 2021 numbers, CREA currently estimates that the Program will need to develop over 1 million Megawatt-hours of new renewable energy projects to satisfy the target. This amount of energy is equivalent to what would be provided by roughly 200 Megawatts (MW) of Utah solar and 166 MW of Wyoming wind.

The Program is in development and must be approved by the Utah Public Service Commission (PSC). To obtain PSC approval, RMP and CREA must demonstrate that “non-participating customers and the utility will not be subject to any program liabilities or costs.” Because the Program is optional (participants will be able to exit by paying a modest termination fee) this requirement will likely necessitate the development of a **financial backstop fund** sufficient to cover the total Program-assigned cost of a resource before that resource is placed into service. For a hypothetical 100 MW Utah solar resource under contract for 15 years, the total Program-assigned cost could be approximately \$50 million. (The Program-assigned cost is envisioned to represent the full resource cost minus the value of the quantifiable benefits attributable to the Program resource.) CREA hopes the contract for the first Program resource will be signed as soon as November 2023 through [PacifiCorp’s 2022 All-Source Request for Proposals](#).

The Program-assigned cost of a resource could be raised through participating customer bill charges over a 2-3 year period between when the resource contract is signed and when the resource comes online. But such an approach could erode customer participation for two reasons. First, the Program rate will be much more expensive (around 5x) if a cost that would normally be spread over a 15-year term must be compressed into only 2-3 years. Second, customers may be unwilling to pay even a relatively small Program bill charge before there are any new Program resources in operation.

CREA views the Climate Pollution Reduction Grants as an attractive potential source of funds that could constitute a **financial backstop fund** for the Program's first renewable energy resource. Such an approach would allow the Program-assigned cost of a resource to be spread over the 20-30 year usable life of that resource, reducing the Program premium and increasing participation. As the Program-assigned cost of the first resource is paid off through participating customer bills, that portion of the financial backstop would then become available to backstop the next Program resource. Eventually, after all Program resources have been acquired to reach the net-100% renewable electricity target and assuming that Program participation remains high enough to cover all Program-assigned costs, the remaining financial backstop fund could be devoted to other uses.

CREA believes that similar net-100% renewable electricity programs could be replicated in other states served by large Investor Owned Utilities (IOUs) that do not have binding renewable energy portfolio standards or pollution reduction targets.

Questions:

1. What are the most promising greenhouse gas (GHG) planning and reduction opportunities that could be catalyzed by the Climate Pollution Reduction grants, taking into consideration:

- a. Total potential for GHG reductions and other co-benefits;*
- b. Gaps in existing resources, programs, or policies;*
- c. Availability of other government funding streams?*

In general terms, CREA proposes that EPA prioritize opportunities like the Utah Community Renewable Energy Program (Program) that:

- **address climate pollution that is not otherwise addressed by federal or state laws** like binding renewable portfolio standards or climate pollution reduction targets,
- **focus on deploying affordable and commercial technologies like wind, solar, and battery** storage at utility scale,
- **hasten the deployment of additional carbon-reducing technologies by 2030**, in line with science-based climate targets and the [Biden Administration's 50-52% reduction goal](#),
- **and achieve co-benefits** like reducing other regional air pollutants and power sector-related water consumption in places like the drought-stricken Western United States.

More specifically, CREA hopes to utilize a Climate Pollution Reduction grant to reduce GHG by accelerating the construction and utilization of renewable electric generation resources, which would reduce generation from fossil-fuel resources.

CREA believes that our Program could serve as a demonstration for other states served by large Investor Owned Utilities (IOUs) that do not have binding renewable portfolio standards or pollution reduction targets.

CREA has investigated several avenues toward creating a financial backstop for our Program, and while several may be possibilities, none appear to be a perfect fit.

For example, in speaking with the **Department of Energy's Loan Programs Office (DOE LPO)**, we learned about several requirements that will likely pose challenges for our Program to overcome:

- loans made by DOE LPO are typically at least \$100 million, likely exceeding the total financial backstop amount needed for the Program's first resource
- loans made by DOE LPO for commercially available technologies must receive qualifying funding from a state energy financing institution (SEFI), which would likely require additional state or local appropriations, and
- it is unclear how a project selected by CREA from PacifiCorp's 2022 All-Source Request for Proposals would be able to retroactively seek a DOE LPO loan or guarantee that might affect the overall project's cost of capital.

Another Federal avenue toward funding a financial backstop for our Program could emerge from the **Greenhouse Gas Reduction Fund** provisions of the Inflation Reduction Act. However, it does not appear that CREA qualifies as an eligible recipient for direct investment of general assistance funds. It is also unclear to whom CREA would apply for direct funds, as there is not currently a Utah "green bank" and we are unsure whether there will be a national green bank. Furthermore, it is unclear whether such green banks will be in place and in a position to support projects such as our Program by November of 2023, which is when we hope to have a contract signed for the Program's first renewable energy resource.

While CREA believes our Program has the opportunity to deploy around 400 MW of renewable energy resources by 2030, we face unique challenges. CREA will continue to explore alternative financial backstop mechanisms but views the Climate Pollution Reductions grants as a promising avenue.

2. How should the EPA integrate the needs of underserved communities into the design of this program, taking into consideration:

- a. What equity and justice concerns, opportunities, or priorities are most relevant for this program and how can EPA best help address them?*
- b. How can EPA best address the statutory requirement to consider the "degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities"?*

CREA recently approved [a measure](#) designed to allow eligible lower-income households that use a typical amount of electricity to participate in the Program at no additional cost. We hope that EPA will recognize this type of accessibility feature as one among many ways to integrate the needs of underserved communities in projects supported by Climate Pollution Reduction grants.

In terms of addressing the referenced statutory requirement, CREA suggests that EPA consider requiring all planning efforts funded by Climate Pollution Reduction grants to specifically evaluate how low-income and disadvantaged communities within the project scope will be benefited, and how an implementation grant would be used to make project benefits accessible to these households and communities.

3. This program consists of \$250 million in planning grants, \$4.607 billion in climate implementation grants, and \$142.5 million for administrative funding. How should EPA implement and coordinate planning and implementation funding to make the greatest impact with the funds as a whole?

CREA hopes that EPA will coordinate funding so that implementation grants can be made as soon as November of 2023, which is when we hope to have a contract signed for the Program's first renewable energy resource.

4. EPA plans to provide technical assistance to grant recipients.
a. What technical assistance would be most helpful to eligible entities as they develop climate plans under the Climate Pollution Reduction Program?
b. What technical assistance would be most helpful as applicants prepare for the implementation phase of the program?

CREA believes that a planning grant funded by the Climate Pollution Reduction Program could help us quantify expected pollution reductions that will result from successful implementation of the Utah Community Renewable Energy Program (Program) and how the benefits will be distributed. To that end, technical assistance made available during the planning phase that emphasizes available government modeling tools would be extremely valuable.

For example, assistance using the [AVoided Emissions and geneRation Tool](#) (AVERT) and the [Emissions & Generation Resource Integrated Database](#) (eGRID) could help quantify how the addition of Program renewable energy resources would be expected to reduce greenhouse gasses and other regional air pollutants. Additionally, tools such as the [Environmental Justice Screening and Mapping Tool](#) (EJScreen) could be used to quantify how much of these benefits would accrue to low-income households and disadvantaged communities.

For the implementation phase, EPA could provide technical assistance aimed at using official government data sources to accurately report project metrics. Examples of valuable data sources include the [Clean Air Markets Program Data](#) (CAMPD) and the Energy Information Administration [Electricity Data Browser](#).

5. How can EPA facilitate coordination and leveraging of other available funding and planning efforts to maximize effectiveness of the program (e.g., timing of implementation grant solicitations, time needed to complete a plan, guidance on program interactions, etc.)?

CREA suggests that a Notice of Intent (NOI) process could help discover whether there are multiple interested applicants in a single state and whether those applicants could combine proposals.

In addition, EPA could offer to co-host state-focused informational interviews with officials from the Department of Energy (DOE) so that prospective applicants can hopefully be matched with the funding opportunities that best suit applicants' envisioned projects.

CREA hopes that EPA will coordinate funding so that implementation grants can be made as soon as November of 2023, which is when we hope to have a contract signed for the Program's first renewable energy resource.

6. What internal capacity challenges do you face regarding the development and implementation of GHG reduction plans? How can EPA help address those challenges?

CREA is an interlocal cooperative, meaning that we have no staff and instead rely on staff from our participating local government members to fulfill administrative responsibilities. We have raised nearly \$700,000 from the 18 participating towns, cities, and counties, a portion of which is devoted to funding outside legal counsel ([James Dodge Russell & Stephens](#)) and an energy analytical consultant ([Energy Strategies](#)) who are experienced regulated utility practitioners in the state of Utah.

Our agency is well-positioned to craft a plan that aligns with the Community Renewable Energy Program (Program) – that is, a plan that addresses the electricity consumption of homes and businesses within our 18 communities. We believe that with modest technical assistance from EPA (described in more detail above, under question #4), CREA will be able to develop a plan in a few months.

However, should all plans be required to address all sectors of the economy, our agency would not readily be able to develop such a plan without significant additional funding and stakeholder participation from state government and industry. Please see this concern addressed in more detail below, under question #11.

7. What metrics should this program use for measuring success and ensuring accountability?

As much as possible, CREA hopes EPA will use reporting metrics that are publicly available through government databases such as [CAMPD](#) and the [EIA Electricity Data Browser](#) for reporting. In addition, we hope that the granularity of the planning effort is matched by the granularity of the reporting metrics.

8. How can EPA structure this program to facilitate cooperation and coordination within and across tribal, local, regional, and state agencies to implement climate policies?

EPA could offer to co-host state-focused informational interviews with officials from the Department of Energy (DOE) so that prospective applicants can hopefully be matched with the funding opportunities that best suit applicants' envisioned projects.

11. EPA wants to ensure applicants have adequate time and funding to develop their climate action plans before the deadline to apply for implementation funds. In your experience, how much time and funding is required to complete a state, municipal, or tribal climate action plan?

CREA hopes that EPA will be flexible in defining what constitutes a climate pollution reduction plan. For example, a plan that attempts to address all climate pollution-causing sectors within a state or municipality will necessarily require much broader government and industry stakeholder involvement and much longer development time than a plan that addresses a specific sector.

The Community Renewable Energy Program (Program) will address the electricity sector only. The advantage of focusing on this sector only is that it is a significant contributor to climate pollution; additionally, renewable energy technologies provide a commercially available and affordable carbon-free alternative. We hope EPA will consider such strategically focused efforts with the potential for near-term implementation as eligible for Climate Pollution Reduction grants. Requiring that all plans address all sectors of the economy may significantly diminish interest in the Climate Pollution Reduction Grants, as such efforts require an extraordinary amount of time and stakeholder collaboration to execute.

12. Please provide any additional comments you would like EPA to consider, which are not covered by the prior questions.

The Utah Community Renewable Energy Agency (CREA) comprises 18 Utah counties, cities, and towns who are working with Utah's largest electric utility, Rocky Mountain Power/PacifiCorp (RMP), to develop the Community Renewable Energy Program (Program). Together, CREA communities represent almost 25% of RMP's Utah retail electricity load. Development of the Program is enabled by a state law called the Utah Community Renewable Energy Act (Act) passed in 2019. CREA's first Board meeting took place in July 2021 and negotiations between the Board's Program Design Committee and RMP have been taking place since December 2021.

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CREA believes that similar net-100% renewable electricity programs could be replicated in other states served by large Investor Owned Utilities (IOUs) that do not have binding renewable energy portfolio standards or pollution reduction targets.